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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

LEE RANDOLPH STEWART,

Defendant and Appellant.

A141105

(Contra Costa County
Super. Ct. No. 051312396)

Appellant, Lee Randolph Stewart, in pro per and pursuant to a plea bargain, entered a no contest plea to second-degree commercial burglary (Pen. Code, § 459/460), and admitted serving a prior prison term (Pen. Code, § 667.5, subd. (b)). In exchange, he was to receive a four-year sentence to be served in county jail. At sentencing, appellant received the agreed upon sentence.

The facts of the burglary are taken from the probation report. Police responded to a burglar alarm at an adult bookstore in Pleasant Hill. Employees who arrived shortly after the burglary observed that adult DVDs and toys had been stolen. Entry into the bookstore had been made by cutting through the roof's drywall ceiling panels. A video surveillance camera had caught the burglar on tape. Police, who were familiar with appellant from previous encounters, identified the burglar as appellant. Additionally, the burglar had dropped his wallet during the roof top entry. Inside the wallet police found appellant's ID card along with other cards belonging to appellant.

Appellant's no contest plea and admission of the prior strike allegation were validly entered. The trial court found a factual basis for the plea. Appellant was

sentenced in accord with the plea bargain and received 408 days of presentence custody credits. Appellant was advised of his right to file a supplemental brief. There was no error or abuse of discretion in the imposition of fees or fines.

The judgment is affirmed.

REARDON, J.

We concur:

RUVOLO, P. J.

RIVERA, J.